

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

L & W, INC., a Michigan corporation,

Plaintiff,

Case No. 01-73892

v.

Hon. John Corbett O'Meara

SHERTECH, INC., a Missouri corporation,  
and STEVEN W. SHERIDAN, an  
individual,

Defendants.

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**ORDER REGARDING  
MOTIONS IN LIMINE**

Before the court are three motions: (1) Shertech's motion in limine regarding the results of the first trial, filed January 11, 2008; (2) L & W's third renewed motion in limine to preclude expert testimony, filed January 22, 2008; and (3) Shertech's motion regarding the testimony of its expert witness, Dr. John Holmes, filed January 22, 2008. Responses have been filed to all three motions.

Having considered the parties' papers, the court rules as follows. Shertech's motion in limine regarding the results of the first trial is GRANTED IN PART and DENIED IN PART. L & W may refer to the first jury's finding of fraud or innocent misrepresentation in the context of impeaching Steven Sheridan's credibility. The court finds that the first jury's findings regarding the invalidity of certain patent claims is not relevant to the second jury's task.

L & W's third renewed motion in limine to preclude Shertech from introducing the testimony of Dr. Holmes is DENIED. Shertech's motion to streamline the testimony of Dr.

Holmes, address objections, and admit exhibits is GRANTED, consistent with the rulings the court made on the deposition transcript of Dr. Holmes and which were faxed to the parties on January 29, 2008.

SO ORDERED.

s/John Corbett O'Meara  
United States District Judge

Date: January 29, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 29, 2008, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager